

LATHAM & WATKINS LLP  
Al Pfeiffer (Bar No. 120965)  
al.pfeiffer@lw.com  
Ashley Bauer (Bar No. 231626)  
ashley.bauer@lw.com  
Meghna Subramanian (Bar No. 251513)  
meghna.subramanian@lw.com  
505 Montgomery Street, Suite 2000  
San Francisco, California 94111-6538  
Telephone: (415) 391-0600  
Facsimile: (415) 395-8095

Attorneys for Plaintiff  
Michael Izell Seals

JONES & DYER  
A Professional Corporation  
Mark A. Jones (Bar No. 96494)  
mjones@jonesdyer.com  
Kristen K. Preston (Bar No. 125455)  
kpreston@jonesdyer.com  
1800 J Street  
Sacramento, California 95814  
Telephone: (916) 552-5959  
Facsimile: (916) 442-5959

Attorneys for Defendants  
John Rynhart  
Lyle Thomas

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Michael Izell Seals,  
  
Plaintiff,  
  
v.  
  
Officer Rodney K. Mitchell, et al.  
  
Defendants.

CASE NO. C-04-3764 NJV  
ORDER ON  
**STIPULATION FOR EXTENSION OF TIME  
FOR AMENDING ANSWER AND FILING  
MOTION TO STRIKE**

Defendants John Rynhart and Lyle Thomas filed their Amended Answer to Plaintiffs' Second Amended Complaint on July 30, 2010. Defendants are willing to withdraw the second affirmative defense (official policy or custom), and the parties are in the process of meeting and

conferring with respect to the sufficiency of the first affirmative defense (qualified immunity).  
 In order to give the parties sufficient time to meet and confer with respect to the remaining  
 affirmative defense, and in order to give Defendants sufficient time to amend the Answer, the  
 parties hereby stipulate that Defendants will file a Second Amended Answer on or before  
 September 6, 2010. The parties also stipulate that Plaintiff will have until twenty-one (21) days  
 after service of the Amended Answer to file any motion to strike.

Dated: August 20, 2010

LATHAM & WATKINS LLP

Al Pfeiffer  
 Ashley Bauer  
 Meghna Subramanian

By                     /s Meghna Subramanian                      
 Meghna Subramanian  
 Attorney for Plaintiff  
 Michael Izell Seals

Dated: August 20, 2010

JONES & DYER

Mark A. Jones  
 Kristen K. Preston

By                     /s Kristen K. Preston                      
 Kristen K. Preston  
 Attorney for Defendants  
 John Rynhart  
 Lyle Thomas

**ORDER**

The Court having considered the foregoing stipulation of the parties, and good cause appearing, the Court hereby orders that Defendants John Rynhart and Lyle Thomas will file an Amended Answer on or before ~~September 6, 2010~~ ^ September 7, 2010. Plaintiff will have until 21 days after service of the Amended Answer by which to file any motion to strike.

IT IS SO ORDERED.

Dated: 8/20/2010

/s/ Magistrate Judge Nandor J. Vadas

HON. NANDOR J. VADAS  
United States Magistrate Judge